

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DARREN HUFFMAN,)
Plaintiff,)
vs.) Civil No. 3:22-cv-02029-NJR
UNITED STATES STEEL)
CORPORATION,)
d/b/a US Steel,)
Defendant.)

**PLAINTIFF'S MOTION TO CONSOLIDATE CASES PURSUANT TO RULE
42(a)**

COMES NOW Plaintiff, by and through counsel, and in support of his Motion to Consolidate, states:

1. Plaintiff filed this Complaint on or around August 31, 2022
2. The current Complaint entails events that occurred between 2014 and 2016. Dkt. #1.
3. Defendant took Plaintiff's deposition, and the parties await a ruling on Defendant's Motion for Protective Order concerning a Rule 30(b)(6) deposition in this action. Dkts. #41 and 47.
4. In this current matter, the Court set the discovery end date to be June 21, 2024, and the trial for December 2024.
5. On February 7, 2024, Plaintiff received another right to sue letter for conduct which occurred during his employment with Defendant. See Exhibit A.

6. Plaintiff filed a separate case based on the conduct covered by the most recent EEOC Right to Sue Letter on or around May 2, 2024, in the United States District Court of the Southern District of Illinois, Case No.:3:24-cv-01203-RJD.
7. The conduct at issue in Case No. 3:24-cv-01203-RJD involves events that occurred between 2016 and 2023.
8. Both cases involve the same Plaintiff and the same Defendant.
9. The cases each stem from Plaintiff's employment relationship with Defendant.
10. Both cases involve Disability Discrimination under the Americans with Disabilities Act ("ADA").
11. Case No.: 3:24-cv-01203-RJD also has a claim for Retaliation under the ADA.
12. In the interest of judicial economy, Plaintiff sought consent from Defendant's attorneys to consolidate those cases.
13. Defendant has not yet responded.
14. Rule 42(a) permits the Court to join for hearing or trial any or all matters at issue in the actions, consolidate the actions, or issue any other orders to avoid unnecessary cost or delay.
15. The jurisdictional bases for each case are the same.
16. Plaintiff believes that consolidation of these actions, for purposes of discovery and trial, would save the parties cost and avoid delay.

WHEREFORE, Plaintiff respectfully prays that this Court grant Plaintiff's Motion to Consolidate for purposes of discovery and trial, and for all other relief deemed equitable and just.

Filed: May 6, 2024

Respectfully submitted,

LAW OFFICES OF DERALD L. GAB, P.C.

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CERTIFICATE OF SERVICE

The undersigned certifies that this was efiled on today, May 6, 2024, with the Southern District of Illinois ecf system which served the document on Defendant.

/s/Bret Kleefuss
Bret Kleefuss